

**GOVERNMENT OF INDIA
COMMUNICATIONS
LOK SABHA**

UNSTARRED QUESTION NO:4645

ANSWERED ON:19.12.2001

CELLULAR PHONE OPERATORS OVER CHARGED FROM SUBSCRIBERS

PRAHLAD SINGH PATEL

Will the Minister of COMMUNICATIONS be pleased to state:

- (a) whether the cellular phone operators have over charged from the subscribers;
- (b) if so, the details thereof;
- (c) whether the Bharat Sanchar Nigam Limited (BSNL) has issued orders to the cellular phone operators to refund the excess money charged from the subscribers; and
- (d) if so, the number of subscribers to whom excess charged money has been refunded alongwith the details thereof?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI TAPAN SIKDAR)

(a) & (b): Sir, effective from 1st August, 1999, the basis of licence fee for Cellular Operators was changed from fixed licence fee to a licence fee as a percentage of revenue. While giving its ruling in the case relating to the introduction of Calling Party Pays, the Hon'ble High Court of Delhi had observed in its judgement dated 17.1.2000 that since consequent to change in licence fee regime there was a reduction in the total amount of licence fee payable by cellular service providers to the Government, TRAI (Telecom Regulatory Authority of India) would ensure passing on of this benefit to the consumers.

(c) Following the observation of Delhi High Court, TRAI notified on 25th January, 2001 the Telecommunication Tariff (12th Amendment) Order requiring the cellular operators to make the refunds mentioned above; BSNL does not have the powers to issue such orders.

(d) The details as per the information provided by TRAI are given in the Annexure.

ANNEXURE

Details about number of cellular subscribers and amount of refund for excess charges for the period August, 1999 to July, 2001.

SL. No.	Name of Licensee	Company	Service Area	Maximum number of subscribers	Total refund amount due for refund involved in any one month (in Rs.) during the said period
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1. Bharti Cellular Ltd. Delhi 161230 201080504.00

2. Sterling Cellular Ltd. Delhi 95775 131234130.03

3. BPL Mobile Communication Mumbai 36741 36502488.40

4 Hutchison Max Telecom Ltd. Mumbai 168554 65668639.00

5 Spice Cell Ltd. Calcutta 11626 12757455.00

6 Usha Martin Telekom Ltd. Calcutta 2717 2914623.00

7 RPG Cellular Services Ltd. Chennai 6640 3430412.00

8 Skycell Communications (P) Ltd. Chennai 2310 1468178.00

9 Aircell Digilink India Ltd. U.P.(East) 0 0

10 FASCEL Ltd. Gujarat 23 2036.98

11 Hexacom India Rajasthan 0 0

12 Bharti Mobiles Ltd. Andhra Pradesh 35 21161.28

13 Bharti Mobiles Ltd. Karnataka 153 114789.56

14 Koshika Telecom Pvt. Ltd. UP (East) 0 0

15 Tata Cellular Ltd. Andhra Pradesh 2 1255.00

16 Escotel Mobile Commns Pvt. Ltd. Haryana 2 2676.77

17	Escotel Mobile Commns Pvt. Ltd. UP (West)	0	0
18	Escotel Mobile Commns Pvt. Ltd. Kerala	92	8913.00
19	BPL Cellular Ltd. Tamil Nadu	3312	645294.00
20	BPL Cellular Ltd. Kerala	29	7296.00
21	BPL Cellular Ltd. Maharashtra	2886	5299603.00
22	Bharti Telenet Ltd. Himachal Pra	18	50390.00
23	RPG Cellcom Ltd. Madhya Pradesh	0	0
24	Birla AT&T Communications Ltd. Gujarat	20273	2624720.00
25	Birla AT&T Communications Ltd. Maharashtra	44057	10707434.00
26	Reliance Telecom (P) Ltd. Madhya Pradesh	6	2761.89
27	Reliance Telecom (P) Ltd. West Bengal	1874	997347.55
28	Reliance Telecom (P) Ltd. Assam	3140	695034.69
29	Reliance Telecom (P) Ltd. Bihar	169	38247.01
30	Reliance Telecom (P) Ltd. Himachal Pra	0	0
31	Reliance Telecom (P) Ltd. North East	26	4376.73
32	Reliance Telecom (P) Ltd. Orissa	71	17713.29
33	Spice Communications Ltd. Karnataka	136	214718.93
34	Spice Communications Ltd. Punjab	32731	4243184.00
35	Aircel Limited Tamil Nadu	26	15635.00